

Order

Michigan Supreme Court
Lansing, Michigan

December 9, 2005

Clifford W. Taylor,
Chief Justice

128349

Michael F. Cavanagh
Elizabeth A. Weaver
Marilyn Kelly
Maura D. Corrigan
Robert P. Young, Jr.
Stephen J. Markman,
Justices

PEOPLE OF THE STATE OF MICHIGAN,
Plaintiff-Appellee,

v

SC: 128349
COA: 250926
Jackson CC: 01-004448-FC

CHAD NICHOLAS VANWAGONER,
Defendant-Appellant.

On order of the Court, the application for leave to appeal the March 10, 2005 judgment of the Court of Appeals is considered, and it is DENIED, because we are not persuaded that the question presented should be reviewed by this Court.

CORRIGAN, J., would grant leave to appeal to reconsider *People v Bender*, 452 Mich 594 (1996).

KELLY, J., dissents and states as follows:

Defendant's confession was properly suppressed by the trial court under *People v Bender*, 452 Mich 594 (1996).



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I, Corbin R. Davis, Clerk of the Michigan Supreme Court, certify that the foregoing is a true and complete copy of the order entered at the direction of the Court.

December 9, 2005

Corbin R. Davis

Clerk